

11-5-84 **PETITION FOR ZONING VARIANCE** 85-68-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1.b. To permit two signs in lieu of one with a total of 160 sq. feet in lieu of the permitted 30 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Signs needed to develop community awareness of Early Childhood Programs.
2. Existing 6' sign is only large enough to display Sunday Church Services and Sunday School Programs. (24 sq. ft.)
3. Location of proposed signs gives clear identification of new access to parking area.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) _____
 Signature _____
 Address _____
 City and State _____

Legal Owner(s): (Type or Print Name) MARVIN KLINE, Pastor
 Signature Marvin Kline
 Address 13916 Jarrettsville Pike, Phoenix, MD 21131
 City and State _____

Attorney for Petitioner: (Type or Print Name) _____
 Signature _____
 Address _____
 City and State _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
 Name Wayne Slechter
 Address 13916 Jarrettsville Pike, Phoenix, MD 21131
 City and State _____

Attorney's Telephone No.: _____
 Address _____
 Phone No. _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 1st day of August, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 11th day of September, 1984, at 10:15 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 NW/4 of Jarrettsville Pike, 400' NE of Merryman's Mill Rd.: OF BALTIMORE COUNTY
 (13916 Jarrettsville Pike)
 10th District
 FAIRVIEW UNITED METHODIST CHURCH, Petitioner : Case No. 85-68-A
 : : : : :
 ENTRY OF APPEARANCE

Please enter the appeal of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Rm. 223, Court House
 Towson, MD 21204
 494-2188

I HEREBY CERTIFY that on this 20th day of August, 1984, a copy of the foregoing Entry of Appearance was mailed to Marvin Kline, Pastor, and Wayne Slechter, Administrator, Fairview United Methodist Church, 13916 Jarrettsville Pike, Phoenix, MD 21131, Petitioners.

Peter Max Zimmerman
 Peter Max Zimmerman

RE: PETITION FOR VARIANCE : BEFORE THE
 NW/4 of Jarrettsville Pike, 400' NE of Merryman's Mill Rd.: BOARD OF APPEALS
 (13916 Jarrettsville Pike) : OF
 Fairview United Methodist Church - Petitioner : BALTIMORE COUNTY
 No. 85-68-A (Item No. 1) : : : : :
 * * * * *

MR. CLERK:

Please enter an appeal from the Decision of the Deputy Zoning Commissioner, Jean M.H. Jung, dated October 3, 1984 in not granting a Variance for the second sign as petitioned for.

This appeal is not from the Decision of the Deputy Zoning Commissioner aforesaid granting the Variance of the "existing stone frame church sign with a total of 80 square feet in lieu of the permitted 30 square feet".

Attached herewith please find a check in the amount of \$80.00 made payable to Baltimore County covering said costs.

I HEREBY CERTIFY that on this 2nd day of November, 1984, a copy of the foregoing Notice was mailed, postage prepaid to Phyllis C. Friedman, People's Counsel, Court House, Towson, Maryland 21204 and Mr. Roger Oursler, 14 Constantine Drive, Phoenix, Maryland 21131.

MORE COUNTY, MARYLAND
 DEPARTMENT OF FINANCE - REVENUE DIVISION
 JELLANEOUS CASH RECEIPT

DATE Nov. 7, 1984 ACCOUNT R-01-615-000

AMOUNT \$80.00

RECEIVED FROM: Fairview United Methodist Church
 FOR: Filing Fee for Appeal of Case No. 85-68-A

6 445*****00016 5074F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 30, 1984

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

also
 Nicholas B. Commodari
 Chairman

MEMBERS
 Bureau of Engineering
 Department of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Mr. Wayne Slechter
 13916 Jarrettsville Pike
 Phoenix, Maryland 21131

RE: Item No. 1 - Case No. 85-68-A
 Fairview United Methodist Church
 Variance Petition

Dear Mr. Slechter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to legalize the square footage of the existing signs on this site, this hearing is required.

In accordance with our telephone conversation, the petition forms were revised to reflect a variance request for each side of the two signs. This is in line with our recent change in interpretation of the sign regulations. In addition, the square footage of the existing sign must include the stone surrounding said sign.

Particular attention should be afforded to the comments of the State Highway Administration.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
 NICHOLAS B. COMMODARI, Chairman
 Zoning Plans Advisory Committee

NBC:bsc
 Enclosures

BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
 DIRECTOR

July 23, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #1 (1984-1985)
 Property Owner: Fairview United Methodist Church
 NW/4 Jarrettsville Pike 400' N/E Merryman's Mill Rd.
 Acres: 2 1/4
 District: 10th

Dear Mr. Jablon:

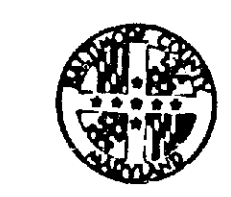
The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

As no public facilities are involved, this office has no comment.

Very truly yours,
GILBERT S. BROWN
 GILBERT S. BROWN, P.E., Asst. Chief
 Bureau of Public Services

GSB:EAM:ROP:es



County Board of Appeals of Baltimore County
 Room 200 Court House (Hearing Room #218)
 Towson, Maryland 21204
 (301) 494-3180
 November 19, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 85-68-A

FAIRVIEW UNITED METHODIST CHURCH

NW/4 of Jarrettsville Pike, 400' NE of Merryman's Mill Rd. (13916 Jarrettsville Pike)

10th District

Variance - Sign

10/3/84 - D.Z.C.'s Order - Granted subj. to site plan; second sign Not Granted

ASSIGNED FOR:

cc: Wayne Slechter

S. Eric DiNenna, Esq.

Roger Oursler

Daniel Werneche

Phyllis C. Friedman

N. Gerber

J. Hoswell

A. Jablon

J. Jung

J. Dyer

Petitioner

Counsel for Petitioner

Protestant

"

People's Counsel

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"

"



Maryland Department of Transportation
 State Highway Administration

Lowell K. Bridwell
 Secretary
 Hal Kassoff
 Acting Administrator

July 23, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Att: Mr. N. Commodari

Re: ZAC Meeting of 7-10-84

ITL: #1.

Property Owner: Fairview

United Methodist Church

Location: NW/4 Jarretts-

ville Pike Route 146, 400'

N/E Merryman's Mill Road

Existing Zoning: R.C. 4 &

R.C. 5

Proposed Zoning: Variance

to permit two signs in lieu

of the required one with a

total of 60 sq. ft. in lieu

of the required 30 sq. ft.

Acres: 2 1/4

District: 10th

Dear Mr. Jablon:

There is a proposed 80' right of way for Jarrettsville Pike (40' from centerline of highway). The subject plan indicates the proposed sign as being 37' from centerline of highway. The sign must be moved back a minimum of 3 additional feet.

It is requested that the plan be revised prior to a hearing date being assigned.

Very truly yours,

Charles Lee

Charles Lee, Chief

Bureau of Engr. Access Permits

CL:JM:maw

cc: Mr. J. Ogle

Mr. G. Wittman telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech By: John Meyers

383-7555 Baltimore Metro - 365-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free

P.O. Box 717-727 North Calvert St., Baltimore, Maryland 21203-0717

of the sign facilitates the orderly traversing of the relative or neighbor to the Center.

Testimony clearly indicated that the Petitioner has no direct access to Jarrettsville Pike. In order to ingress or egress the Church and Center property one must first enter Constantine Drive. Petitioner also testified that if one is travelling south on Jarrettsville Pike it is likely that one would pass Constantine Drive prior to noticing the Church Bulletin Board.

On cross-examination, Mr. Slechter testified that the people utilizing the Center are "regulars" and that of the forty people presently enrolled, only one is a member of the congregation. He indicated that the children come from various areas and that the present location of the sign was essential to the proper designation of the Center location. He further testified that the sign was erected prior to the completion of the construction of the Center and that the Center has never operated without the benefit of the sign.

People's Counsel queried Mr. Slechter as to the need to list the telephone number on the sign, to which Mr. Slechter replied that he felt same to be necessary to notify the public of the Center's existence.

Protestants presented three witnesses. All three witnesses reside on Constantine Drive. Each of these witnesses appeared sincere and genuinely concerned with the continuing quality of their neighborhood. Mrs. Charisse Wernecke lives most near the subject sign, but approximately one quarter mile away. All Protestants acknowledged that the sign was not visible from their homes, but that they did view the sign as they entered and exited Constantine Drive. Charisse Wernecke, Mrs. J. R. McClelland and Mrs. Cheryl Watson all indicated that their primary objection to the sign was its location, the fact that it would sit too high, that it contained a phone number, that it was too large and that it was not compatible with the neighborhood. Each of the Protestants contended that, in their judgment, a sign was not necessary. Each of the witnesses acknowledged the

presence of the sign prior to the operation of the Center.

Mrs. McClelland suggested that a better location for the sign would be within the same area currently used by the Church for their temporary advertising signs, a distance of 100 feet south of Constantine Drive.

Mrs. Watson acknowledged that Petitioner's Exhibit #2 (sample of the proposed 3' x 5' sign) was much more aesthetically acceptable but that the use of a phone number on the sign speaks of commercialization. She did acknowledge, however, that the proposed sign otherwise would seem to be appropriate for the area.

This Board heard no testimony to reflect that the health, safety and general welfare of the community would be adversely impacted by the presence of the proposed sign. There was no testimony indicating that vehicles exiting Constantine Drive would experience visual difficulty in an effort to enter Jarrettsville Pike or that vehicles traversing Jarrettsville Pike would experience difficulty observing vehicles attempting to exit Constantine Drive. Such matters, this Board believes, are of paramount concern. We are aware, as nearly everyone in north and northeast Baltimore County is aware, of the inherently dangerous nature of the Jarrettsville Pike. Were such a visual hazard demonstrated at this hearing we would, without equivocation or hesitation, deny this petition and affirm the decision of the Deputy Zoning Commissioner. Indeed, perhaps such evidence was elicited below, but our hearing is de novo and no such evidence was presented.

The test, therefore, becomes one of practical difficulty and unreasonable hardship. The evidence is clear that this Center has never operated without the presence of a sign, so we do not really know whether its operation would be impeded by the absence of the sign.

The previous sign, erected without a permit, is, in this Board's opinion, an eyesore. The proposed sign, a brown wooden sign with raised white lettering (each side), 3 feet by 5 feet in area, is an attractive sign. It is, in this Board's view,

aesthetically acceptable, appropriate and compatible with the surrounding area.

Some question is raised as to the necessity of inserting a phone number on the sign. Mr. Slechter believes same to be essential to the identification, location and inquiry of the Center. He prefers same to an arrow.

The Board is persuaded that the inclusion on the sign of a phone number does not commercialize the sign or the property. We are cognizant of the concerns expressed by the Protestants and concur that the previous sign was not compatible with the neighborhood.

With respect to the location of the sign, this Board most respectfully disagrees with the Protestants. The issue before this Board is a sign variance. The location of that sign on the Petitioner's property is within the sole discretion of the Petitioner, so long as he complies with the local and State laws respective to the erection of the sign. Indeed, in viewing the photos introduced this Board notes that the Church Bulletin Board contains a phone number, yet there is no objection to same. We also notice a large green road sign for Merryman's Mill Road clearly visible from Constantine Drive.

Finally, the Board is persuaded that although the Center can, now that the trees have been eliminated, be seen from Jarrettsville Pike, we are also convinced that without the presence of a sign located on the corner of Jarrettsville Pike and Constantine Drive, many individuals not familiar with the Center may well pass same in their initial efforts to locate it. Though it may be argued that most of the people utilizing the Center do so on a regular basis and, therefore, do not require a sign, it is also quite evident that an emergency could develop whereby a relative or neighbor not familiar with the Center's location might be required to respond to a call from the Center. Consequently, in this instance the presence of the sign would be of assistance.

In summary, the primary objection to the sign concerns its location, not its existence. Consequently, this Board is constrained to note that if the existence of a sign is not objectionable, its location is determined by the existing law. We do believe that the Petitioner has demonstrated the requisite practical difficulty or unreasonable hardship necessary to obtain a variance.

This Board shall overrule the decision of the Deputy Zoning Commissioner, dated October 3, 1984, with respect to the second sign, and permit the erection of a 3 foot by 5 foot brown wood, raised white lettered sign, more specifically shown on Petitioner's Exhibit #2.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 8th day of March, 1985, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated October 3, 1984, with respect to the second sign is REVERSED, and that the variance to permit the erection of one (1) 3 foot by 5 foot brown wood sign, with raised white lettering, as described in Petitioner's Exhibit #2, be and the same is hereby GRANTED.

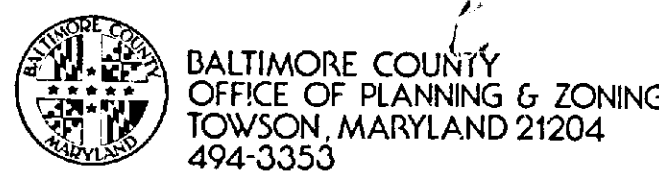
Any appeal from this decision must be in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William R. Evans, Acting Chairman

LeRoy B. Spangler

Patricia Phipps



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 3, 1984

Mr. Wayne Slechter
13916 Jarrettsville Pike
Phoenix, Maryland 21131

RE: Petition for Variance
NW/S of Jarrettsville Pike, 400' NE of
Merryman's Mill Rd. (13916 Jarrettsville
Pike) - 10th Election District
Fairview United Methodist Church - Petitioner
Case No. 85-68-A (Item No. 1)

Dear Mr. Slechter:

I have this date passed my Order in the above captioned matter in accordance with the attached.

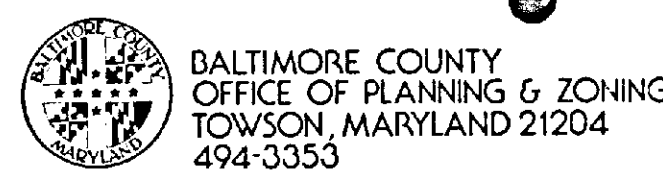
Very truly yours,
Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Roger Oursler
14 Constantine Drive
Phoenix, Maryland 21131

People's Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 8, 1984

Mr. Roger Oursler
14 Constantine Drive
Phoenix, Maryland 21131

RE: Petition for Variance
NW/S of Jarrettsville Pike,
400' NE of Merryman's Mill Rd.
(13916 Jarrettsville Pike
Fairview United Methodist Church -
Petitioner
Case No. 85-68-A

Dear Mr. Oursler:

Please be advised that an appeal has been filed by the attorney for the Petitioner, Fairview United Methodist Church, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:ech

cc: Mr. Daniel Wernecke
12 Constantine Drive
Phoenix, Maryland 21131

Phyllis C. Friedman, Esquire
People's Counsel

RE: PETITION FOR VARIANCE
NW/S of Jarrettsville Pike, 400' NE of
Merryman's Mill Rd. (13916 Jarrettsville
Pike) - 10th Election District
Fairview United Methodist Church - Petitioner
Case No. 85-68-A (Item No. 1)

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

1. The herein petitioner requests a variance to permit two signs in lieu of one with a total of 160 square feet in lieu of the permitted 30 square feet.
2. Testimony presented by and on behalf of the petitioner indicated:
 - a. A two-faced bulletin board church sign has existed on the subject property for some time. This sign is approximately 8 feet wide and 5 feet high, totaling approximately 80 square feet, including the stone frame.
 - b. A second two-faced sign, for the Fairview Early Learning and Nursery School, 4'6"x4'6", totaling 40.5 square feet was erected without a permit late in 1983.
 - c. A third two-faced sign, attached to the second, for the Summer Safari, 4'x4', totaling 32 square feet was erected without a permit in June, 1984.
 - d. The petitioner seeks to permit the stone church sign and the wooden "Early Learning" sign to remain throughout the year and the "Summer Safari" sign to be erected each summer, a total of 152.5 square feet in lieu of the permitted 30 square feet.
 - e. The petitioner cites the need of visual communication with the community and some problems with confusion over access to the care center; only the signs and word-of-mouth have been used to publicize the center.
3. Testimony presented on behalf of the protestants indicated the dangerous nature of that portion of Jarrettsville Pike and the fact that a number of children wait for a school bus at the corner of Jarrettsville Pike and Constantine Drive.

PETITION FOR VARIANCE
10th Election District

ZONING: Petition for Variance
LOCATION: Northwest side of Jarrettsville Pike, 400 ft.
Northeast of Merryman's Mill Road (13916
Jarrettsville Pike)
DATE & TIME: Tuesday, September 11, 1984 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 117 W. Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit two signs in lieu of one with a total of 160 sq. ft. in lieu of the permitted 30 sq. ft.

Being the property of Fairview United Methodist Church, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ZONING DESCRIPTION

Beginning on the North West side of Jarrettsville Pike
400' ± North East of Merryman's Mill Road. Then North
76° 22' 40" West 18.57' then North 56° 41' 55" West
248.87' then North 32° 38' 20" East 213.85' then North
48° 48' 35" East 179.53' then South 57° 10' 27" East
179.63' then North 47° 34' 48" West 62.65' then South
70° 20' 52" West 81.05' then Southerly 110' ± then
Easterly 14' ± then Southerly 147' ± then Westerly
14' ± then Southerly 110' ± then South 42° 37' 00" West
95.00' returning to the beginning point.
Also known as 13916 Jarrettsville pike.

IN RE: PETITION FOR VARIANCE
M/S of Jarrettsville Pike,
400' NE of Merryman's Mill Rd.
(13916 Jarrettsville Pike)
10th Election District
Fairview United Methodist Church
Petitioner
* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY
* Case No. 85-68-A

Entry of Appearance

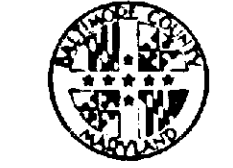
Please enter my appearance as a party in the above captioned matter,
pursuant to Section 501.6, B.C.Z.R., and I hereby request that any and all
notices be forwarded to my office, including but not limited to hearing dates
and/or preliminary or final Orders.

Arnold Jablon
Arnold Jablon
Zoning Commissioner of Baltimore
County
Room 109 - 111 West Chesapeake Avenue
Towson, Maryland 21204
494-3353

Certificate of Mailing

IT IS HEREBY CERTIFIED that on this 7th day of November
1984, copies of the foregoing Entry of Appearance were mailed, postage prepaid,
by first class delivery to the County Attorney of Baltimore County, People's
Counsel for Baltimore County, Petitioner(s) and/or Protestant(s) in the above
captioned matter.

Arnold Jablon
Arnold Jablon



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 491-3180
March 8, 1985

S. Eric DiNenna, Esquire
406 W. Pennsylvania Avenue
Towson, MD 21204

Re: Case No. 85-68-A
Fairview United Methodist Church

Dear Mr. DiNenna:

Enclosed herewith is a copy of the Opinion and Order
passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith I. Eisenhart
Edith I. Eisenhart, Adm. Secretary

Enclosure

cc: Mr. Wayne Slechter
Mr. Roger Oursler
Mr. Daniel Wernecke
Phyllis Cole Friedman
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

Sept. 10, 1984

Hon. Arnold Jablon
Commissioner of Zoning
Baltimore County, Md

Dear Sir,

My wife and I wish to join our neighbors in
protesting the issuance of a zoning variance al-
lowing Fairview United Methodist Church to erect
a non-conforming sign to advertise their Day
Care Center.

We as have our neighbors on Constantine Dr.
have made a substantial investment in our
home. One of the reasons for choosing as we
did was the protection of that investment
offered by Baltimore County zoning regulations.
The commercial type sign apparently being
proposed is contrary to existing regulations as
well as offensive to the character of the area.

Additionally, depending on exact placement,
the proposed sign would block the view of homes
of drivers waiting to enter Jarrettsville Pike
from Constantine Dr.

September 11, 1984

TO WHOM IT MAY CONCERN:

This is to notify you that we object
to the placement of any signs on the
corner of Jarrettsville Pike and
Constantine Drive. We have moved into
a residential area and we do not like
any other signs placed in the area
other than the permanent stone setting
which is currently on the church property.

Mr. & Mrs. Henry W. Smit Jr.
Mr. and Mrs. Henry W. Smit, Jr.
27 Constantine Drive
Phoenix, MD 21131

Linda L. Smit
Mrs. Mrs. Arnold Smit
29 Constantine Dr.
Phoenix, Md. 21131
**PROTESTANT'S
EXHIBIT 2**

My wife and I both have had considerable
experience with a church operated pre-school.
From that experience, we would advise the
administrators of the program at Fairview that
the success of their venture depends much
more on the quality of care offered and
their response to children's needs than on
the size of their advertising. A quality
school requires nothing more than simple
identification.

Very truly yours

Robert D. Bateman
Patricia N. Bateman

Robert D. Bateman
Patricia N. Bateman
13 Constantine Dr
Phoenix Md. 21131

September 10, 1984

Mr. Arnold Jablon
Commissioner of Zoning
Towson, Md. 21204

Dear Sir,

Although I am unable to
attend the zoning hearing on
the proposed variance because of
a previous commitment, I still
wish to lodge a protest. The
existing sign is a gaudy commercial
affair and does not belong in
a residential area. Situated at the
entrance of our development, one
wonders whether the road leads
to a playground or amusement
park instead of a fine
development of lovely homes.

I hope you will take my
letter into consideration before reaching
your decision.

Sincerely,
Jeanne Shields
Jeanne Shields
32 Constantine Dr.
Phoenix, Md. 21131

September 7, 1984

Arnold Jablon
Commissioner of Zoning

Dear Mr. Jablon:

We, as property owners of a home on Constantine Drive, Baltimore
County, are opposed to the use of commercial signs in a residential
area.

Sincerely,

Richard M. Mumley
Richard M. Mumley

Martha E. Mumley
Martha E. Mumley
25 Constantine Drive
Phoenix, MD 21131

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Diana Iltter
Office of Planning and Zoning
Date: June 27, 1985

FROM: Edith T. Eisenhart, Adm. Secretary
County Board of Appeals

SUBJECT: Case No. 85-68-A - Fairview United Methodist Church

Attached hereto is Petitioner's Exhibit #2 (drawing of sign) which was entered into evidence at the hearing before the Board in the above entitled case. Patricia Phipps, one of the members of the Board who decided this case, has signed this exhibit for authenticity. We trust this will clarify this matter.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: August 24, 1984

FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 85-68-A
Fairview United Methodist Church

With the exception of the small enclave of commercial development to the south, the immediate area is of a rural-residential character. It is the office's opinion that the sign proposed by the petitioner would be excessively large for such an area.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JCH/sf

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arlene January
Date: July 25, 1984

FROM: James Thompson
Case No. C-84-445

SUBJECT: 13916 Jarrettsville Road

At present, this office has an active case relating to the signs which are the subject of a Petition for Variance, Item No. 1, Fairview United Methodist Church.

Please notify, in writing, once a hearing date has been set:

Mr. and Mrs. John R. McClelland
33 Constantine Drive
Phoenix, Maryland 21131

Protestants

Charles T. Watson 23 Constantine Drive
James D. Quash 14 Constantine Drive
Patricia N. Hoff 28 Constantine Drive
Amarie Janoff 46 Constantine Drive
Garryson P. Bell 40 Constantine Drive 21131
Ann M. Berry 31 Constantine Drive 21131
Gus Makowski 24 Constantine Drive 21131
Ricki Dumes 7 Constantine Drive
Daniel R. Menick 12 Constantine Drive
R.C. Quash 14 Constantine Drive 21131

PROTESTANT'S
EXHIBIT 1

September 11, 1984

Sept. 10, 1984

TO WHOM IT MAY CONCERN:

This is to notify you that we object to the placement of any signs on the corner of Jarrettsville Pike and Constantine Drive. We have moved into a residential area and we do not like any other signs placed in the area other than the permanent stone setting which is currently on the church property.

Mr. & Mrs. Henry W. Smit Jr.
Mr. and Mrs. Henry W. Smit, Jr.
27 Constantine Drive
Phoenix, MD 21131

Henry W. Smit
Mr. & Mrs. Smit, Adm. Sec.

PROTESTANT'S
EXHIBIT 2

exact placement, the proposed sign would be the view of traffic of drivers waiting to enter Jarrettsville Pike from Constantine Dr.

in neighbors in
ing variance al-
t Church to erect
rise their Day
on Constantine Dr.
estment in our
choosing as we
at investment
giving regulations.
partly being
ig regulations as
racter of the area.

Hon. Arnold Jablon
Commissioner of Zoning
Baltimore County, Md

Dear Sir,

My wife and I wish to join our neighbors in protesting the issuance of a zoning variance allowing Fairview United Methodist Church to erect a non-conforming sign to advertise their Day Care Center.

We as have our neighbors on Constantine Dr. have made a substantial investment in our home. One of the reasons for choosing as we did was the protection of that investment offered by Baltimore County zoning regulations. The commercial type sign apparently being proposed is contrary to existing regulations as well as offensive to the character of the area.

Additionally, depending on exact placement, the proposed sign would be the view of traffic of drivers waiting to enter Jarrettsville Pike from Constantine Dr.

Sept. 10, 1984

My wife and I both have had considerable experience with a church operated pre-school. From that experience, we would advise the administrators of the program at Fairview that the success of their venture depends much more on the quality of care offered and their response to children's needs than on the size of their advertising. A quality school requires nothing more than simple identification.

Very truly yours

Robert D. Bateman
Patricia N. Bateman

Robert D. Bateman
Patricia N. Bateman
15 Constantine Dr
Phoenix Md. 21131

September 10, 1984

Mr. Arnold Jablon
Commissioner of Zoning
Baltimore, Md. 21204

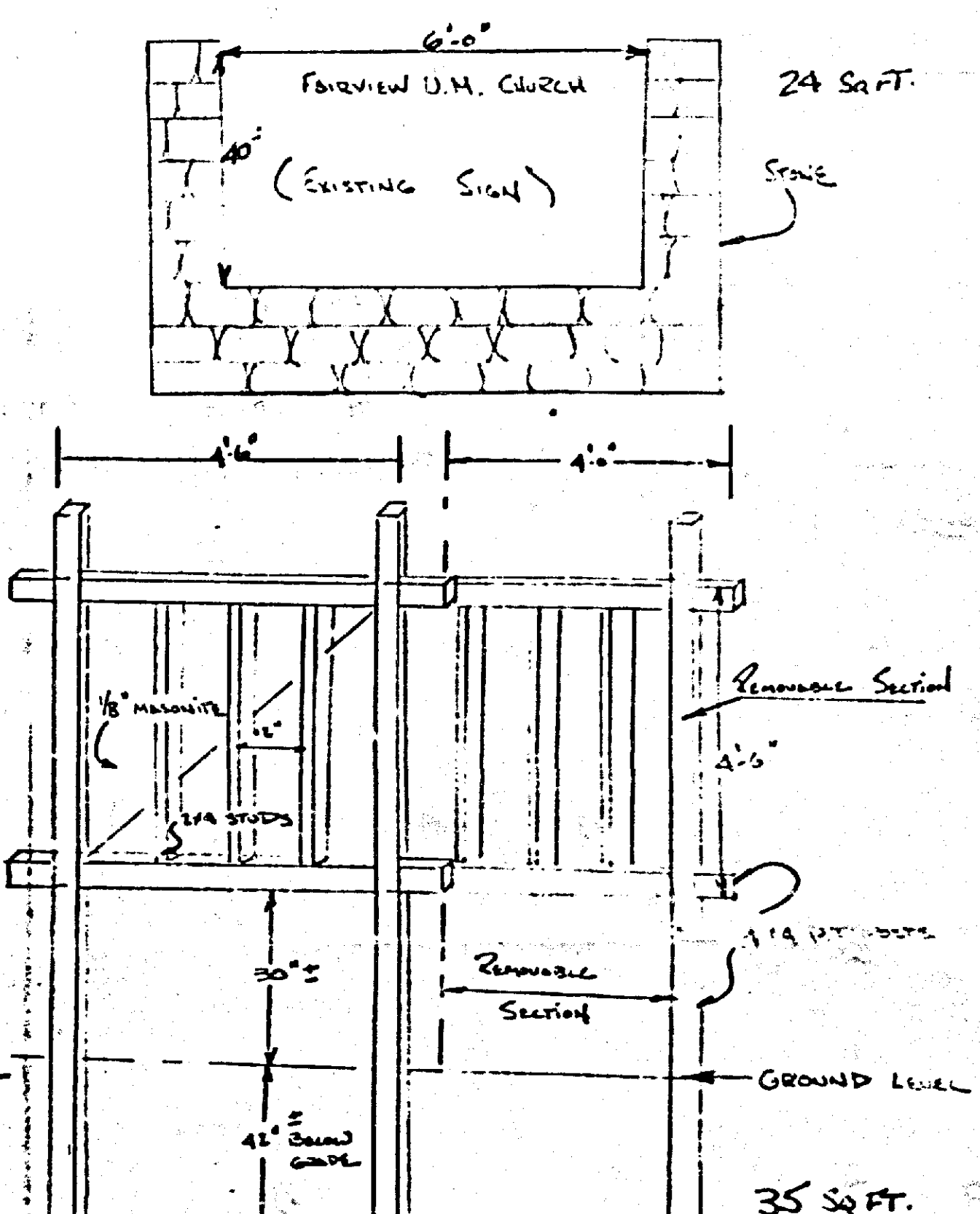
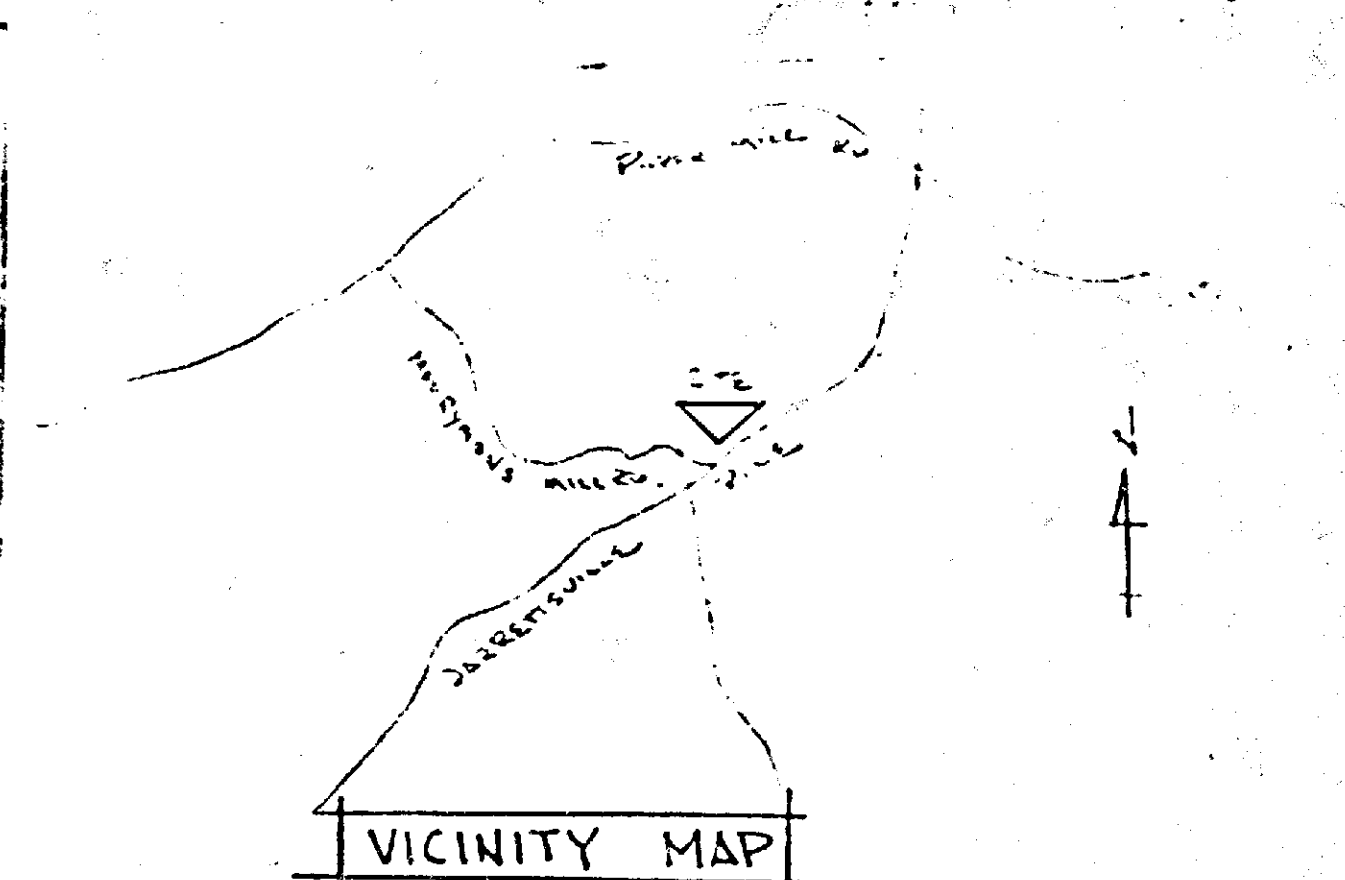
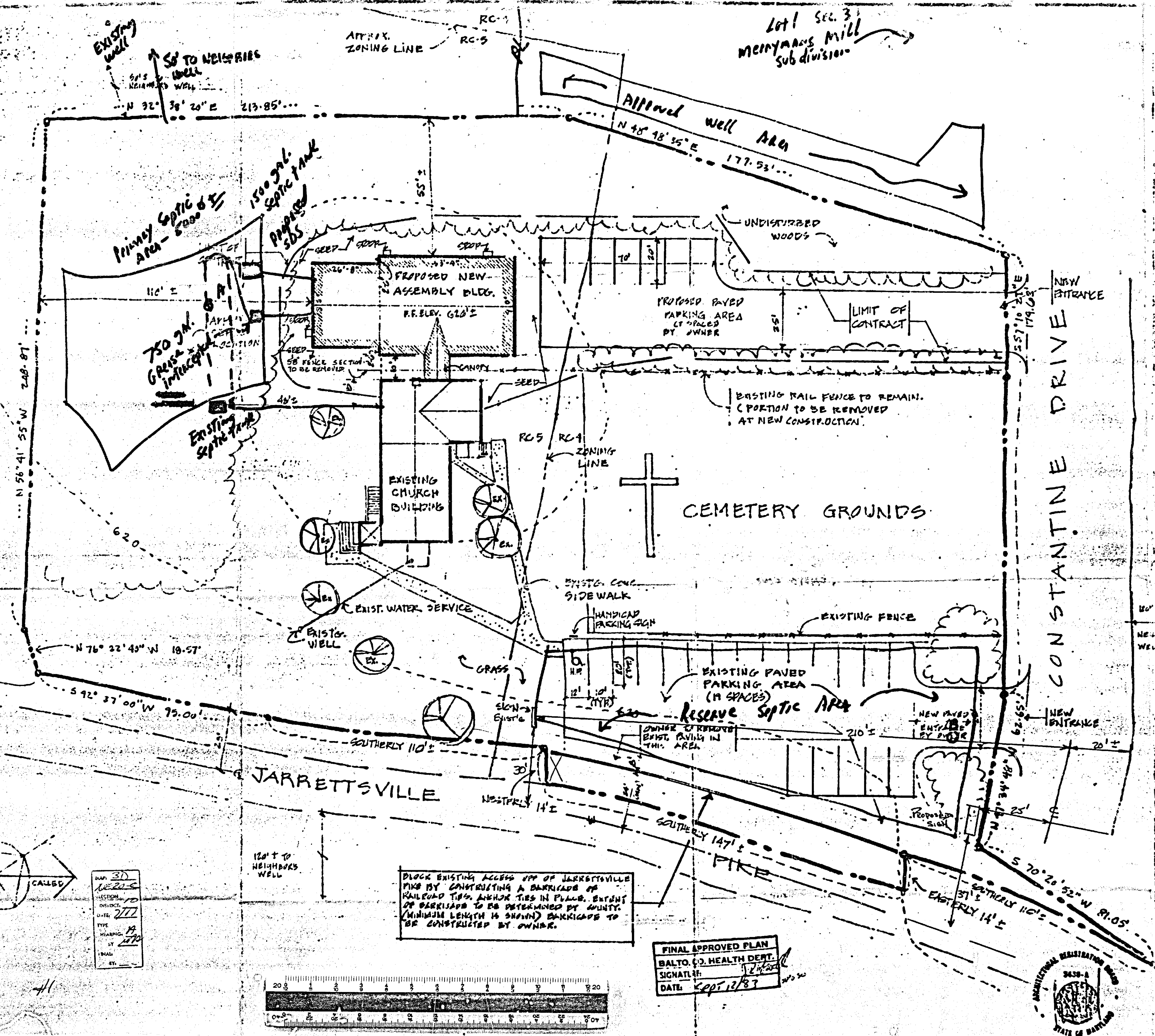
Dear Sir,

Although I am unable to attend the meeting on the proposed commercial sign, I am in full agreement with the lodge a protest. The existing sign is a quality commercial affair and does not belong in a residential area. Situated at the entrance of our development, one wonders whether the road leads to a playground or amusement park instead of a fine development of lovely homes. I hope you will take my letter into consideration before reaching your decision.

Sincerely,

James Schiele
32 Constantine Dr
Phoenix, Md. 21131

2 19



Proposed Sign	
FAIRVIEW EMERGENCY NURSERY SCHOOL CHILDREN AGES 2-5 Full Daycare Program 666-7390	SUMMER SAFARI Camping, Picnics, Sports Nature Study, Loosable Toys June 4 - July 13 July 16 - Aug 24

- GENERAL NOTES:**
- Property: Map 43, Parcel 189, District 19, Prop. No. 17 00 003713
 - Zonings: RC-5 Building Site, RC-4 Cemetery and Parking areas
 - Parking Required: 144 people @ 6 = 24 spaces. Parking Provided: 28 Spaces
 - Sewers: No public available, septic exists.
 - Water: No public available, well exists.
 - Total Area of Lots: 2 1/2 acres ±.
 - Total building coverage: 68 ±.
 - Existing Building - Church. Proposed Addition - Assembly building.